

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** Chair Art Wittich, on March 16, 2015 at 3:00 PM, in Room 472 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Art Wittich, Chair (R)  
Rep. Kirk Wagoner, Vice Chair (R)  
Rep. Seth Berglee (R)  
Rep. Alan Doane (R)  
Rep. Jennifer Eck (D)  
Rep. Bill Harris (R)  
Rep. Denise Hayman (D)  
Rep. Stephanie Hess (R)  
Rep. Tom Jacobson (D)  
Rep. Jessica Karjala (D)  
Rep. Forrest Mandeville (R)  
Rep. Albert Olszewski (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Alan Redfield (R)  
Rep. Vince Ricci (R)

**Members Excused:** Rep. Ellie Boldman Hill, Vice Chair (D)

**Members Absent:** None

**Staff Present:** Sue O'Connell, Legislative Branch  
Phoebe Williams, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 8, 2/24/2015; SB 48, 2/24/2015; SB 149, 2/24/2015

**HEARING ON SB 149**

**Opening Statement by Sponsor:**

00:01:07 Sen. Matthew Rosendale (R), SD 18, opened the hearing on SB 149, Authorize direct primary care provider plans.

**[EXHIBIT\(huh54a01\)](#)**

**Proponents' Testimony:**

00:06:01 Dr. William Gallea, Montana Medical Association (MMA)

00:06:58 Doug Kimball, State Board of Optometry

**[EXHIBIT\(huh54a02\)](#)**

**Opponents' Testimony:**

00:09:25 Bruce Spencer, America's Health Insurance Plans

**Informational Testimony**

00:11:23 Christina Goe, State Auditor's Office

**Questions from Committee Members and Responses:**

00:11:48 Rep. Eck  
00:12:12 Christina Goe, State Auditor's Office  
00:12:52 Rep. Doane  
00:13:12 Sen. Rosendale  
00:13:32 Rep. Doane  
00:13:34 Sen. Rosendale  
00:14:23 Chairman Wittich  
00:14:43 Bruce Spencer, America's Health Insurance Plans  
00:15:23 Chairman Wittich  
00:15:28 Bruce Spencer, America's Health Insurance Plans  
00:15:40 Chairman Wittich  
00:16:13 Sen. Rosendale  
00:16:29 Chairman Wittich  
00:17:24 Doug Kimball, State Board of Optometry  
00:17:38 Chairman Wittich  
00:17:45 Doug Kimball, State Board of Optometry  
00:17:51 Rep. Eck  
00:18:18 Sen. Rosendale  
00:19:40 Christina Goe, State Auditor's Office  
00:20:40 Rep. Hayman  
00:21:19 Sen. Rosendale  
00:21:39 Rep. Hayman  
00:22:00 Sen. Rosendale  
00:22:44 Chairman Wittich  
00:22:59 Sen. Rosendale  
00:23:19 Rep. Redfield  
00:23:45 Sen. Rosendale  
00:24:26 Rep. Redfield  
00:24:53 Sen. Rosendale  
00:25:05 Rep. Jacobson  
00:25:25 Sen. Rosendale

00:25:43 Rep. Eck  
00:25:58 Chairman Wittich  
00:26:07 Rep. Jacobson  
00:26:24 Chairman Wittich  
00:27:00 Bruce Spencer, America's Health Insurance Plans  
00:29:00 Chairman Wittich  
00:29:08 Bruce Spencer, America's Health Insurance Plans  
00:29:55 Chairman Wittich  
00:30:17 Christina Goe, State Auditor's Office  
00:31:17 Chairman Wittich  
00:31:29 Christina Goe, State Auditor's Office  
00:32:05 Rep. Mandeville  
00:32:40 Christina Goe, State Auditor's Office  
00:33:28 Rep. Mandeville  
00:33:52 Christina Goe, State Auditor's Office  
00:34:38 Rep. Mandeville  
00:34:56 Christina Goe, State Auditor's Office

**Closing by Sponsor:**

00:35:13 Sen. Rosendale

**HEARING ON SB 48****Opening Statement by Sponsor:**

00:37:07 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 48, Require electronic reporting of pseudoephedrine sales.

**Proponents' Testimony:**

00:40:33 Jon Bennion, Department of Justice (DOJ)

**EXHIBIT(huh54a03)**

00:44:02 Mark Long Department of Justice (DOJ), Montana Narcotics Officer's Association

00:47:09 Brad Griffin, Montana Retail Association

00:48:23 Stuart Doggett, Montana Pharmacy Association

**Opponents' Testimony:****Informational Testimony:**

00:49:19 Marcie Bough, Montana Board of Pharmacy

**Questions from Committee Members and Responses:**

00:50:03 Rep. Olszewski

00:50:25 Jon Bennion, DOJ

00:50:54 Rep. Olszewski

00:51:03 Jon Bennion, DOJ

00:51:35 Rep. Wagoner

00:51:40 Rep. Jacobson

00:52:02 Mark Long, DOJ

00:52:23 Rep. Jacobson

00:52:28 Jon Bennion, DOJ

00:53:03 Rep. Jacobson  
 00:53:38 Jon Bennion, DOJ  
 00:54:08 Rep. Jacobson  
 00:54:40 Jon Bennion, DOJ  
 00:55:01 Rep. Hayman  
 00:56:00 Jon Bennion, DOJ  
 00:56:34 Chairman Wittich  
 00:56:43 Rep. Hayman  
 00:57:47 Jon Bennion, DOJ  
 00:57:58 Rep. Hill joined the meeting  
 00:58:32 Rep. Hayman  
 00:58:57 Jon Bennion, DOJ  
 00:59:24 Rep. Doane  
 00:59:40 Jon Bennion, DOJ  
 00:59:43 Rep. Doane  
 01:00:04 Jon Bennion, DOJ  
 01:00:28 Rep. Doane  
 01:00:37 Jon Bennion, DOJ  
 01:00:43 Rep. Harris  
 01:01:19 Jon Bennion, DOJ  
 01:02:06 Rep. Ricci  
 01:02:23 Mark Long, DOJ  
 01:02:43 Rep. Ricci  
 01:03:09 Mark Long, DOJ  
 01:03:32 Rep. Ricci  
 01:04:11 Marcie Bough, Montana Board of Pharmacy  
 01:05:45 Chairman Wittich  
 01:06:16 Jon Bennion, DOJ  
 01:07:04 Chairman Wittich  
 01:07:24 Jon Bennion, DOJ

**Closing by Sponsor:**

01:07:53 Sen. Vincent

**HEARING ON SB 8**

**Opening Statement by Sponsor:**

01:12:49 Sen. Roger Webb (R), SD 23, opened the hearing on SB 8, Allow electronic prescribing of controlled substances prescriptions.

**Proponents' Testimony:**

01:14:47 Dr. William Gallea, Montana Medical Association (MMA)  
 01:17:29 Starla Blank, Montana Board of Pharmacy  
 01:18:13 Marcie Bough, Montana Board of Pharmacy  
 01:18:34 Brad Griffin, Montana Retail Association  
 01:18:47 Bruce Spencer, Express Scripts Incorporated  
 01:19:03 Mike Foster, Catholic Hospitals, St. Peters Hospital, Benefice and Bozeman Deaconess.  
 01:19:49 Kiely Keane, Billings Clinic  
 01:20:23 Stuart Doggett, Montana Pharmacy Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:20:48 Sen. Webb

**EXECUTIVE ACTION ON SB 276**

01:22:18 **Motion:** Rep. Wagoner moved that **SB 276 BE CONCURRED IN.**

**Discussion:**

01:22:46 Chairman Wittich

01:23:15 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Karjala and Rep. Redfield voted by proxy. Rep. Olszewski will carry the bill.

**EXECUTIVE ACTION ON SB 277**

01:24:24 **Motion:** Rep. Wagoner moved that **SB 277 BE CONCURRED IN.**

**Discussion:**

01:24:35 Rep. Hill

01:26:35 Rep. Olszewski

01:27:36 Rep. Pease-Lopez

01:28:08 Rep. Olszewski

01:28:45 Rep. Wittich

01:28:56 Rep. Olszewski

01:29:10 Chairman Wittich

01:29:19 Rep. Wagoner

01:29:58 Rep. Harris

01:30:11 Rep. Mandeville

01:30:48 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Karjala and Rep. Redfield voted by proxy. Rep. Olszewski will carry the bill.

**EXECUTIVE ACTION ON SJ 9**

01:32:14 **Motion:** Rep. Wagoner moved that **SJ 9 BE CONCURRED IN.**

**Discussion:**

01:32:38 Rep. Eck

01:32:48 Sue O'Connell, Legislative Services Division (LSD)

01:33:20 Rep. Hill

01:33:35 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Karjala and Rep. Redfield voted by proxy. Rep. Wagoner will carry the bill.

#### **EXECUTIVE ACTION ON HB 576**

01:35:05 **Motion:** Rep. Wagoner moved that **HB 576 DO PASS.**

01:35:50 **Motion:** Rep. Ricci moved that **HB 576 BE AMENDED.**  
**EXHIBIT(huh54a04)**

#### **Discussion:**

01:36:27 Chairman Wittich  
01:37:08 Rep. Pease-Lopez  
01:37:35 Sue O'Connell, LSD  
01:38:22 Rep. Hess  
01:38:32 Chairman Wittich  
01:39:07 Rep. Hess  
01:39:17 Rep. Hill  
01:40:02 Sue O'Connell, LSD  
01:40:15 Rep. Eck  
01:40:35 Chairman Wittich  
01:41:45 Rep. Eck  
01:42:08 Rep. Jacobson  
01:43:05 Rep. Harris  
01:43:17 Rep. Pease-Lopez  
01:43:47 Chairman Wittich  
01:44:27 Rep. Redfield and Rep. Karjala joined the meeting

01:44:42 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no.

01:45:47 **Motion:** Rep. Wagoner moved that **HB 576 DO PASS AS AMENDED.**

#### **Discussion:**

01:45:58 Rep. Eck  
01:47:00 Rep. Karjala  
01:48:02 Rep. Wagoner

01:48:34 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no.

#### **EXECUTIVE ACTION ON HB 479**

01:49:27 **Motion:** Rep. Wagoner moved that **HB 479 DO PASS.**

01:50:32 **Motion:** Rep. Olszewski moved that **HB 479 BE AMENDED.**

**EXHIBIT(huh54a05)****Discussion:**

01:50:43 Rep. Olszewski  
01:51:52 Rep. Eck  
01:52:28 Rep. Doane

01:53:25 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no.

01:54:10 **Motion:** Rep. Wagoner moved that **HB 479 DO PASS AS AMENDED.**

**Discussion:**

01:54:24 Rep. Karjala  
01:55:08 Rep. Eck  
01:57:22 Rep. Harris  
01:58:24 Rep. Hill  
01:59:24 Rep. Karjala  
02:01:13 Rep. Hayman  
02:02:47 Rep. Pease-Lopez  
02:03:54 Chairman Wittich  
02:05:56 Rep. Olszewski  
02:08:07 Chairman Wittich  
02:08:28 Rep. Olszewski  
02:09:44 Rep. Eck

02:11:09 **Vote:** Motion carried 9-8 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez, Rep. Pierson and Rep. Redfield voting no.

**EXECUTIVE ACTION ON HB 589**

02:12:15 **Motion:** Rep. Wagoner moved that **HB 589 DO PASS.**

02:13:06 **Motion:** Rep. Wittich moved that **HB 589 BE AMENDED.**

**EXHIBIT(huh54a06)****Discussion:**

02:14:10 Chairman Wittich  
02:15:48 Rep. Karjala  
02:16:19 Rep. Pease Lopez  
02:16:35 Chairman Wittich  
02:16:58 Rep. Hayman  
02:17:07 Chairman Wittich  
02:18:00 Rep. Hayman  
02:18:38 Rep. Wagoner  
02:18:56 Rep. Pease Lopez  
02:19:11 Chairman Wittich

02:19:38 **Vote:** Motion carried unanimously by roll call vote.

02:20:33 **Motion/Vote:** Rep. Wagoner moved that **HB 589 DO PASS AS AMENDED**.  
Motion carried 16-1 by voice vote with Rep. Doane voting no.

### **EXECUTIVE ACTION ON HB 582**

02:22:22 **Motion:** Rep. Wagoner moved that **HB 582 DO PASS**.

02:22:58 **Motion:** Rep. Wittich moved that **HB 582 BE AMENDED**.  
**EXHIBIT(huh54a07)**

#### **Discussion:**

02:23:13 Sue O'Connell, LSD  
02:26:48 Rep. Hess  
02:27:08 Sue O'Connell, LSD  
02:27:19 Chairman Wittich  
02:27:30 Rep. Olszewski  
02:29:02 Sue O'Connell, LSD  
02:29:44 Chairman Wittich  
02:29:57 Sue O'Connell, LSD  
02:30:02 Chairman Wittich  
02:30:07 Sue O'Connell, LSD  
02:30:25 Rep. Hill  
02:30:45 Sue O'Connell, LSD  
02:31:54 Rep. Olszewski  
02:33:16 Chairman Wittich  
02:33:50 Rep. Olszewski  
02:33:56 Rep. Eck  
02:34:33 Chairman Wittich  
02:34:43 Rep. Pease-Lopez  
02:35:17 Chairman Wittich

02:36:57 **Vote:** Motion carried 13-4 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Jacobson and Rep. Pease-Lopez voting no.

02:37:53 **Motion:** Rep. Wagoner moved that **HB 582 DO PASS AS AMENDED**.

#### **Discussion:**

02:37:59 Rep. Hill  
02:39:10 Rep. Hess  
02:39:25 Chairman Wittich  
02:40:29 Rep. Hess  
02:40:48 Rep. Redfield

02:41:14 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Berglee voted by proxy.



**ADJOURNMENT**

Adjournment: 02:42:49

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Phoebe Williams, Secretary

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Additional Documents:

**EXHIBIT**([huh54aad.pdf](#))